

Central Administrative Tribunal, Principal Bench,

RA No. 250 of 2005 In  
O.A. No. 2296/2004

New Delhi this the 15<sup>th</sup> day of December, 2005

**Hon'ble Mr. Justice M.A. Khan, Vice Chairman (J)**

Inspector Jagdish Malik No.D-1/143  
C/o Shri Sachin Chauhan, Advocate,  
Ch. No. 311-A, Western Wing,  
Tis Hazari Court, Delhi.

...Review Applicant

Versus

1. Union of India through  
Secretary,  
Ministry of Home Affairs,  
North Block,  
New Delhi.
2. Joint Commissioner of Police,  
New Delhi Range,  
I.P. Estate,  
M.S.O. Building,  
New Delhi.
3. Deputy Commissioner of Police,  
P.S. Parliament Street,  
New Delhi.

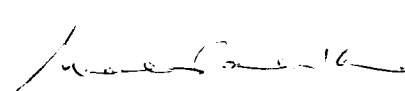
...Respondents

**ORDER (BY CIRCULATION)**

The present RA has been filed by the applicant seeking review of our order dated 18.10.2005 passed in OA 2296 of 2004.

2. I have perused the relevant record and order dated 18.10.2005 and do not find any mistake or error apparent on the face of the record or there is discovery of new and important material and evidence which was not in the knowledge or could not be produced by the applicant even after exercise of the due diligence when the matter was decided. If the review applicant is not satisfied with the order passed by the Tribunal, remedy lies elsewhere. The Apex Court in **Union of India Vs. Tarit Ranjan Das, 2004 SCC (L&S) 160** observed as under:-

“13. The Tribunal passed the impugned order by reviewing the earlier order. A bare reading of the two orders shows that the order in review



application was in complete variation and disregard of the earlier order and the strong as well as sound reasons contained therein whereby the original application was rejected. The scope for review is rather limited and it is not permissible for the forum hearing the review application to act as an appellate authority in respect of the original order by a fresh order and rehearing of the matter to facilitate a change of opinion on merits. The Tribunal seems to have transgressed its jurisdiction in dealing with the review petition as if it was hearing an original application. This aspect has also not been noticed by the High Court".

3. Having regard to the above, RA is dismissed in circulation.

  
**(M.A. Khan)**  
**Vice Chairman (J)**

Rakesh